

SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
GOVERNING BOARD MEETING AND PUBLIC HEARING

Note: A digital recording system has been used to record these proceedings and is on file in the permanent files of the District. A copy of the Governing Board materials and handouts are a part of the record as if set out in full herein, and are filed in the permanent files of the District.

9:00 a.m., Tuesday  
August 14, 2012

Dixie Plantation  
Greenville, Florida

Governing Board:

<b>Seat</b>	<b>Name</b>	<b>Office</b>	<b>Present</b>	<b>Not Present</b>
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Heath Davis		X	
At Large	Virginia H. Johns		X	
At Large	Carl Meece		X	
At Large	Guy N. Williams			X

Governing Board General Counsel

<b>Name</b>	<b>Firm</b>	<b>Present</b>	<b>Not Present</b>
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

Staff:

<b>Position</b>	<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Charlie Houder	X	
Governmental Affairs Director	Steve Minnis	X	
Department Director, Mission Support	Melanie Roberts	X	
Department Director, Water Supply & Resource Management	Jon Dinges	X	
Senior Professional Engineer	Megan Wetherington		X
HR & GB Coordinator	Lisa Cheshire	X	

Guests:

Tim Sagul, SRWMD  
Vanessa Fultz, SRWMD  
Terry Demott, SRWMD  
Brian Kauffman, SRWMD

Dan Buchanan, Florida Farm Bureau, Pinetta  
Jeffrey Hill, El Rancho No Tengo, Lake City  
Warren Zwanka, St. Johns River Water Management District, Palatka  
Joel Love, Florida Department of Agriculture & Consumer Services  
Dr. Linden Davidson, Lamont  
Steve Phillips, City of Gainesville  
Doug King, Jim King Realty, Chiefland  
Shane Wellendorf, Tall Timbers, Tallahassee  
Lane Green, Tall Timbers, Tallahassee  
Mickie Salter, Office of Representative Leonard Bemby, Madison  
Donald Rich, Quitman, GA  
Sam Bridges, City of Gainesville  
Doyle Weltzbarbor, Jeffco Dairy, Quitman, GA  
John Finlayson, Monticello, FL  
Mac Finlayson, Monticello, FL  
David Ward, Monticello, FL  
Randy Floyd (Dixie Plantation Manager)  
Dottie Taylor (Dixie Plantation Office Manager)  
Hines Boyd, Vice Chair of the Jefferson County Commission  
John Milton, Patriot Transportation, Jacksonville

The meeting was called to order at 9:05 a.m.

Agenda Item No. 4 - Additions, Deletions, or Changes to the Agenda.

There were no additions, deletions or changes to the agenda.

Agenda Item No. 5 – Approval of Agenda.

Agenda Item No. 6 – Consent Agenda.

- Agenda Item 11, MS Page 1 – Approval of June Financial Report
- Agenda Item 19, WSRM Page 2 - Authorization to Publish Notice of Change and File Amendments to 40B-2.301, F.A.C.
- Agenda Item 22, WSRM Page 20 - Operating Agreement between the Jacksonville District of the U.S. Army Corps of Engineers (Corps), the Florida Department of Environmental Protection (Department), and the Five Water Management Districts Wetland Regulatory Programs

Agenda Item No. 7 – Approval of Recommended Consent Items.

MR. DAVIS MADE A MOTION TO ACCEPT THE AGENDA AND CONSENT AGENDA AS READ. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

John Finlayson gave a brief history on the Dixie Plantation House and discussed his appreciation to staff for their support of the conservation easement.

Agenda Item No. 9– Approval of July 10, 2012 Governing Board Meeting and Workshop Minutes and July 30, 2012 Intermediate Governing Board Meeting Minutes.

The minutes for the meeting held July 10, 2012 Governing Board Meeting and Workshop Minutes and July 30, 2012 Intermediate Governing Board Meeting Minutes were agendaed to be considered during this meeting. Such minutes were inadvertently overlooked by the Board and will be agendaed for consideration at the subsequent meeting.

Agenda Item No. 9 - Items of General Interest for Information/Cooperating Agencies and Organizations.

- A. Presentation of Hydrologic Conditions by Megan Wetherington, Senior Professional Engineer – John Dinges gave a presentation of the hydrologic conditions.
- B. Cooperating Agencies and Organizations  
Mr. Quincey introduced and welcomed the public constituents and thanked them for attending the meeting.
  - 1. Lane Green and Shane Wallendorf of Tall Timbers and SRWMD partnership efforts in regards to the conservation of the Aucilla River watershed.
- C. Public Comment

**DEPARTMENT OF MISSION SUPPORT**

Agenda Item No. 10 – Approval of January Financial Report. Approved on consent.

Agenda Item No. 11 – Authorization to Enter into Contract with BRAE, Inc., for Heating, Ventilation and Air Conditioning (HVAC) Maintenance and Repair. Melanie Roberts, Department Director, presented the staff recommendation for approval to enter into contract with BRAE, Inc., for heating, ventilation and air conditioning (HVAC) maintenance and repair services for Fiscal Year 2013 at a not-to-exceed annual cost of \$35,000, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH BRAE, INC. AT A NOT-TO-EXCEED COST OF \$35,000 FOR HEATING, VENTILATION AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR SERVICES. THE MOTION WAS SECONDED BY MR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 12 – Authorization to Enter into Contract with Len Duncan, d/b/a Duncan Tire & Auto for Vehicle Maintenance. Mrs. Roberts presented the staff recommendation for approval to enter into contract with Len Duncan, d/b/a Duncan Tire and Auto, for vehicle maintenance for Fiscal Year 2013 at a not-to-exceed annual cost of \$40,000, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT WITH LEN DUNCAN, D/B/A DUNCAN TIRE AND AUTO, FOR VEHICLE MAINTENANCE FOR FISCAL YEAR 2013 AT A NOT-TO-EXCEED ANNUAL COST OF \$40,000. THE MOTION WAS SECONDED BY MR. BROWN. UPON VOTE OF THE GOVERNING BOARD,

THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 13– Authorization for Health Care Insurance. Mrs. Roberts presented the staff recommendation for authorization for the Executive Director to continue healthcare insurance coverage from Blue Cross Blue Shield at an aggregate premium cost estimated at \$703,600 for Fiscal Year 2013 budget (using current staffing), as shown in the Board materials.

MR. DAVIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO CONTINUE HEALTHCARE INSURANCE COVERAGE FROM BLUE CROSS BLUE SHIELD AT AN AGGREGATE PREMIUM COST ESTIMATED AT \$703,600 FOR FISCAL YEAR 2013 BUDGET. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 14 – Approval of Land Sale without Reservation of Mineral and Petroleum Interests. Terry Demott, Program Leader, presented the staff recommendation for Governing Board authorization to sell the Buck Bay surplus parcel in Alachua County to the City of Gainesville, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO DENY THE STAFF RECOMMENDATION AND ACCEPT THE OFFER OF PURCHASE FROM WILLIAM AND FAYE GASTON. THE MOTION WAS SECONDED BY MRS. JOHNS.

Mr. Meece opposed the recommendation for motion.

Mr. Davis discussed the reason for the motion as stated.

Discussion occurred among the Governing Board members.

Doug King spoke regarding his discussion with staff and language in the contract regarding exclusive right of sale and confusion experienced through the process.

Steve Phillips, Recreation and Parks, City of Gainesville, discussed the history of the lease and the city's first right of refusal agreement. He discussed the city's request for Governing Board's support.

Mr. Quincey requested that the process for selling District property be adjusted and questioned the risk and legal liability involved.

Mr. Quincey called for a vote on the motion.

WITH MEECE AND ALEXANDER VOTING AGAINST AND BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY VOTING IN FAVOR, THE MOTION CARRIED.

Agenda Item No. 15 – Activity Report, Mission Support. The Activity Report for the Department of Mission Support was provided as an informational item in the Board materials.

Agenda Item No. 16 – Activity Report, Real Estate. The Activity Report for Real Estate was provided as an informational item in the Board materials.

## **DEPARTMENT OF WATER SUPPLY AND RESOURCE MANAGEMENT**

Agenda Item No. 17 – Authorization to Contract for Hydrographic Surveying Services. Brian Kauffman, Program Leader, presented the staff recommendation that the Governing Board authorize the Executive Director to negotiate and enter into a contract with the top-ranked firm to obtain hydrographic cross sections of the Middle Suwannee River for a cost not to exceed \$115,000, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH THE TOP-RANKED FIRM TO OBTAIN HYDROGRAPHIC CROSS SECTIONS OF THE MIDDLE SUWANNEE RIVER FOR A COST NOT TO EXCEED \$115,000. THE MOTION WAS SECONDED BY DR. COLE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, QUINCEY.)

Agenda Item No. 18 – Authorization to Publish Notice of Change and File Amendments to 40B-2.301, F.A.C.. This item was approved on consent.

Agenda Item No. 19 – First Modification of Water Shortage Order Number 12-0005. Tim Sagul, Program Leader, presented the staff recommendation that the Governing Board modify Water Shortage Order Number 12-0005 to include the unincorporated areas of Alachua County that are located in the St. Johns River Water Management District in accordance with the delegation agreement between St. Johns River Water Management District (SJRWMD), Alachua County Board of County Commissioners (County) and Suwannee River Water Management District (SRWMD) dated July 10, 2012, and rescind water shortage restrictions specific to the counties of Baker, Dixie, Hamilton, Lafayette, Putnam, Suwannee, and Taylor, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO MODIFY WATER SHORTAGE ORDER NUMBER 12-0005 TO INCLUDE THE UNINCORPORATED AREAS OF ALACHUA COUNTY THAT ARE LOCATED IN THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT IN ACCORDANCE WITH THE DELEGATION AGREEMENT BETWEEN ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD), ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS (COUNTY) AND SUWANNEE RIVER WATER MANAGEMENT DISTRICT (SRWMD) DATED JULY 10, 2012, AND RESCIND WATER SHORTAGE RESTRICTIONS SPECIFIC TO THE COUNTIES OF BAKER, DIXIE, HAMILTON, LAFAYETTE, PUTNAM, SUWANNEE, AND TAYLOR. THE MOTION WAS SECONDED BY MR. ALEXANDER. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 20 - Authorization to Levy a Money Judgment on Real Property in the Matter of SRWMD v. Charlie Hicks, Jr., CE07-0087, Madison County. Mr. Sagul presented the staff recommendation that the Governing Board authorize Counsel to levy a money judgment on real property in the matter of SRWMD v. Charlie Hicks, Jr., CE07-0087, Madison County, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO AUTHORIZE COUNSEL TO LEVY A MONEY JUDGMENT ON REAL PROPERTY IN THE MATTER OF SRWMD V. CHARLIE HICKS, JR., CE07-0087, MADISON COUNTY. THE MOTION WAS SECONDED BY MR. MEECE. UPON VOTE OF THE GOVERNING BOARD, (WITH MRS. JOHNS VOTING AGAINST) THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, MEECE, AND QUINCEY.)

Agenda Item No. 21– Operating Agreement between the Jacksonville District of the U.S. Army Corps of Engineers (Corps), the Florida Department of Environmental Protection (Department), and the Five Water Management Districts Wetland Regulatory Programs. This item was approved on consent.

Agenda Item No. 22 – Modification of Agreement with Gainesville Renewable Energy Center Memorandum of Understanding (SRWMD Contract # 09/10-121), Water Use Permit Number 2-09-00040, Alachua County. Mr. Sagul presented the staff recommendation for the Governing Board to authorize the Executive Director to approve modification of the agreement with the City of Alachua, Gainesville, Regional Utilities and Gainesville Renewable Energy Center (GREC) to extend the timeframe in which reclaimed water will be delivered by the City of Alachua to the GREC facility, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO APPROVE A MODIFICATION OF THE AGREEMENT WITH THE CITY OF ALACHUA, GAINESVILLE REGIONAL UTILITIES AND GAINESVILLE RENEWABLE ENERGY CENTER (GREC) TO EXTEND THE TIMEFRAME IN WHICH RECLAIMED WATER WILL BE DELIVERED BY THE CITY OF ALACHUA TO THE GREC FACILITY. THE MOTION WAS SECONDED BY MR. CURTIS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 23 – Proposed Settlement Agreement Regarding Temporary Water Use Permit Application Number 2-11-00063, Richard Douglas Farm, Gilchrist County, Appeal Pending before the Florida Land and Water Adjudicatory Commission (FLAWAC). Mr. Sagul presented the staff recommendation for the Governing Board to approve the proposed settlement agreement regarding temporary Water Use Permit Number 2-11-00063, Richard Douglas Farm, Gilchrist County as it appears before the Florida Land and Water Adjudicatory Commission (FLAWAC), as shown in the Board materials.

MR. DAVIS MADE A MOTION TO APPROVE THE PROPOSED SETTLEMENT AGREEMENT REGARDING TEMPORARY WATER USE PERMIT NUMBER 2-11-00063, RICHARD DOUGLAS FARM, GILCHRIST COUNTY AS IT APPEARS BEFORE THE FLORIDA LAND AND WATER ADJUDICATORY COMMISSION (FLAWAC). THE MOTION WAS SECONDED BY MR. CURTIS.

UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 24 - Activity Reports. The Water Supply, Water Resource Monitoring, Minimum Flows and Levels, Regulatory, Suwannee River Partnership, Land Management, Water Resource Projects, and Compliance Activity Reports were provided as informational items in the Board materials.

#### **GOVERNING BOARD LEGAL COUNSEL**

Agenda Item No. 25 – Governing Board Counsel Monthly Report. The Governing Board Counsel Monthly Report was provided as an informational item in the Board materials.

#### **EXECUTIVE OFFICE**

Agenda Item No. 26 – Approval of Resolution Numbers 2012-21, 2012-22, and 2012-23 for Tropical Storm Debby Assistance. Ann Shortelle, Executive Director, presented the staff recommendation for Governing Board approval of Resolution No. 2012-21 to the St. Johns River Water Management District, Resolution No. 2012-22 to the Southwest Florida River Water Management District, and Resolution No. 2012-23 to the South Florida Water Management District in appreciation for Tropical Storm Debby assistance, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO APPROVE RESOLUTION NO. 2012-21 TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, RESOLUTION NO. 2012-22 TO THE SOUTHWEST FLORIDA RIVER WATER MANAGEMENT DISTRICT, AND RESOLUTION NO. 2012-23 TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT IN APPRECIATION FOR TROPICAL STORM DEBBY ASSISTANCE. THE MOTION WAS SECONDED BY MR. MEECE. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 27 – Approval of Personnel Authority. Dr. Shortelle presented the recommendation for the Governing Board to lift the temporary freeze on personnel changes and authorize the Executive Director to resume customary delegated responsibility of personnel changes, as shown in the Board materials.

MR. DAVIS MADE A MOTION TO LIFT THE TEMPORARY FREEZE ON PERSONNEL CHANGES AND AUTHORIZE THE EXECUTIVE DIRECTOR TO RESUME CUSTOMARY DELEGATED RESPONSIBILITY OF PERSONNEL CHANGES. THE MOTION WAS SECONDED BY MRS. JOHNS. UPON VOTE OF THE GOVERNING BOARD, THE MOTION CARRIED. (MEMBERS VOTING IN FAVOR: ALEXANDER, BROWN, COLE, CURTIS, DAVIS, JOHNS, MEECE, AND QUINCEY.)

Agenda Item No. 28 - Executive Director's Report.  
None.

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Agenda Item No. 29 - Executive Office Activity Report. The Executive Office Activity Report was provided as an informational item in the Board materials.

The meeting adjourned at 11:02 a.m.

\_\_\_\_\_  
Chairman

ATTEST:

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SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
MINUTES OF  
GOVERNING BOARD WORKSHOP

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9:00 a.m., Tuesday  
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Dixie Plantation  
Greenville, Florida

Governing Board:

<b>Seat</b>	<b>Name</b>	<b>Office</b>	<b>Present</b>	<b>Not Present</b>
Aucilla Basin	George M. Cole, Ph.D.		X	
Coastal River Basin	Donald Ray Curtis, III	Secretary/ Treasurer	X	
Lower Suwannee River Basin	Don Quincey, Jr.	Chairman	X	
Santa Fe & Waccasassa Basins	Kevin W. Brown		X	
Upper Suwannee River Basin	Alphonas Alexander	Vice Chairman	X	
At Large	Heath Davis		X	
At Large	Virginia H. Johns		X	
At Large	Carl Meece		X	
At Large	Guy N. Williams			X

Governing Board General Counsel

<b>Name</b>	<b>Firm</b>	<b>Present</b>	<b>Not Present</b>
George T. Reeves	Davis, Schnitker, Reeves & Browning, P.A.	X	

\*Staff:

<b>Position</b>	<b>Name</b>	<b>Present</b>	<b>Not Present</b>
Executive Director	Ann Shortelle	X	
Assistant Executive Director	Charlie Houder	X	
Governmental Affairs Director	Steve Minnis	X	
Department Director, Mission Support	Melanie Roberts	X	
Department Director, Water Supply & Resource Management	Jon Dinges	X	
HR & GB Coordinator	Lisa Cheshire	X	

Guests:

Tim Sagul, SRWMD  
Vanessa Fultz, SRWMD  
Terry Demott, SRWMD  
Brian Kauffman, SRWMD  
Kevin Wright, SRWMD  
Joel Love, Department of Agriculture and Consumer Services  
Mac Finlayson, Monticello, FL

Technical Aspects of Reviewing Water Use Permits

Tim Sagul, Program Leader for Regulatory Services, began the workshop by discussing the legislative directives and framework for review of permits. He discussed the overall items that must be considered when reviewing a water use permit application – the conditions of issuance.

Kevin Wright, Professional Engineer, discussed how the District implements the legislative directives and how the District evaluates constraints such as natural systems (wetlands, springs, rivers), existing legal users and established MFL's.

Mr. Wright gave a detailed presentation on how the District uses the groundwater model to evaluate constraints to ensure harm does not occur, how harm can be mitigated and the different options applicants have.

Discussion occurred on how Water Supply Planning effects Water Use Permitting.

Mr. Wright gave a short report on the CUPcon efforts.

The workshop adjourned at 2:54 p.m.